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SUBJECT CIA Director Casey and The Washington Post

BOB EDWARDS: The Wasington Post reports today that Justice Department officials are cool to CIA Director William Casey's proposal to prosecute certain news organizations for allegedly endangering national security. Casey apparently wants criminal charges to be brought because of published articles concerning U.S. intelligence-gathering operations.

While Casey names five different news organizations, including the New York Times and Newsweek, the Washington Post seems to be the focus of his attention. Casey says the Post's publication of U.S. interceptions of messages between Tripoli and the Libya People's Bureau in East Berlin violates a federal intelligence statute.

But commentator Rod MacLeish says that the CIA chief's stated reason doesn't ring true.

ROD MACLEISH: Question: Is Mr. Casey really upset because the Washington Post published transcripts of Libyan radio traffic gathered by American intelligence? Answer: No, of course he isn't. The transcripts tend to confirm a statement by Mr. Casey's master, the President of the United States.

On the evening of April 14th, Mr. Reagan told the nation, via television, that this country had direct, precise and irrefutable evidence that Libya planned the bombing of a Berlin disco in which an American serviceman was killed. Hence, the retaliatory American air raids on Tripoli and Benghazi that night. The transcripts published by the Washington Post were the proof Mr. Reagan was talking about.

Second question: Why, then, is Mr. Casey so cross at

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the Washington Post? Neither the newspaper nor the CIA's spokespeople are saying. But one interesting theory did appear in yesterday's editions of the New York Times: that Mr. Casey may be trying to pressure the Post into not publishing something it knows about the Pelton case.

Ronald Pelton was an employee of the very secret National Security Agency. Last November he was arrested and charged with selling secrets to the Russians. His trial begins next week.

The current atmosphere of hostility against the press in this Administration is so pervasive that it's hard to know where in this matter newspaper-bashing stops and the legitimate interests of national security begin. The departments and agencies of the Federal Government have a device for prosecuting the media when it threatens the national security -- the courts.

In 1971 the Nixon Administration tried to stop two papers from publishing the so-called Pentagon Papers, using threats to national security as the main argument. The Supreme Court turned the Administration down, but it did not say that national security considerations were of lesser consequence than freedom of the press. It just said that the Nixon Administration hadn't made a case for issuing an injunction against the press in the Pentagon Papers case.

Instead of demeaning himself by threatening newspaper editors over make-believe controversies, Mr. Casey should let the Justice Department handle the case, if one exists.

Furious spy chiefs tend to mangle issues that are best left to the dispassionate wisdom of the courts.

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